



General Assembly

**Substitute Bill No. 6334**

January Session, 2017

\* \_\_\_\_\_HB06334ENV\_\_\_\_\_031317\_\_\_\_\_\*

**AN ACT REQUIRING THE REGISTRATION OF ANIMAL SHELTERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 22-344 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective October 1, 2017*):

3       (a) (1) No person shall maintain a commercial kennel until he has  
4       obtained from the commissioner a license to maintain such kennel  
5       under such regulations as the commissioner provides as to sanitation,  
6       disease and humane treatment of dogs or cats and the protection of the  
7       public safety. Upon written application and the payment of a fee of  
8       four hundred dollars, the commissioner shall issue such license to be  
9       effective until the second December thirty-first following issuance  
10      provided the commissioner finds (A) that such regulations have been  
11      complied with, and (B) in the case of each initial application for such  
12      license, that the zoning enforcement official of the municipality  
13      wherein such kennel is to be maintained has certified that the kennel  
14      conforms to the municipal zoning regulations. Such license shall be  
15      renewed biennially, not later than December thirty-first, in accordance  
16      with the provisions of this section, and may be transferred by the  
17      licensee to another premises upon approval of the commissioner.

18      (2) Any person who maintains a commercial kennel and who  
19      advertises the services of such commercial kennel shall cause the

20 license number for such commercial kennel, as issued pursuant to this  
21 section, to clearly appear in such advertisement. The commissioner  
22 may adopt regulations, in accordance with chapter 54, to prescribe the  
23 requirements for the appearance of the license number of a commercial  
24 kennel in any form of advertisement. Such regulation may include, but  
25 need not be limited to, the size, font and location of such license  
26 number for any given form of advertisement.

27 (b) No person shall maintain a pet shop until he has obtained from  
28 the commissioner a license to maintain such pet shop under such  
29 regulations as the commissioner provides as to sanitation, disease and  
30 humane treatment of animals and the protection of the public safety.  
31 Upon written application and the payment of a fee of four hundred  
32 dollars, the commissioner shall issue such license to be effective until  
33 the second December thirty-first following issuance provided the  
34 commissioner finds (1) that such regulations have been complied with,  
35 and (2) in the case of each initial application for such license, that the  
36 zoning enforcement official of the municipality wherein such pet shop  
37 is to be maintained has certified that the pet shop conforms to the  
38 municipal zoning regulations. Application for renewal of such license  
39 shall be made biennially by not later than the second December thirty-  
40 first following issuance. Such pet shop license may be transferred by  
41 the licensee to another premises upon the approval of the  
42 commissioner. The commissioner, after consultation with the  
43 Commissioners of Public Health and Energy and Environmental  
44 Protection, shall establish and maintain, pursuant to regulations  
45 adopted in accordance with chapter 54, a list of animals which are  
46 deemed to be injurious to the health and safety of the public or whose  
47 maintenance in captivity is detrimental to the health and safety of the  
48 animal. The sale or offer of sale of any animal which is on said list is  
49 prohibited and any person who violates this provision shall be fined  
50 not more than five hundred dollars.

51 (c) No person shall engage in the business of grooming or  
52 maintaining a grooming facility until such person has obtained from

53 the commissioner a license to maintain such facility under such  
54 regulations as the commissioner provides as to sanitation, disease and  
55 humane treatment of such animals and the protection of the public  
56 safety. Upon written application and the payment of a fee of two  
57 hundred dollars, the commissioner shall issue such license to be  
58 effective until the second December thirty-first following issuance  
59 provided the commissioner finds (1) that such regulations have been  
60 complied with, and (2) in the case of each initial application for such  
61 license, that the zoning enforcement official of the municipality  
62 wherein such grooming is to be maintained has certified that the  
63 facility conforms to the municipal zoning regulations. Such license  
64 shall be renewed biennially, not later than the second December thirty-  
65 first following issuance, in accordance with the provisions of this  
66 section, and may be transferred by the licensee to other premises upon  
67 approval of the commissioner.

68 (d) No person shall maintain a training facility until such person has  
69 obtained from the commissioner a license to maintain such facility  
70 under such regulations as the commissioner provides as to sanitation,  
71 disease and humane treatment of such animals and the protection of  
72 public safety. Upon written application and the payment of a fee of  
73 two hundred dollars, the commissioner shall issue such license to be  
74 effective until the second December thirty-first following issuance  
75 provided the commissioner finds (1) that such regulations have been  
76 complied with, and (2) in the case of each initial application for such  
77 license, that the zoning enforcement official of the municipality  
78 wherein such training facility is to be maintained has certified that the  
79 facility conforms to the municipal zoning regulations. Such license  
80 shall be renewed biennially not later than the second December thirty-  
81 first following issuance upon the terms required for the original license  
82 and may be transferred by the licensee to another premises upon  
83 approval of the commissioner.

84 (e) (1) No animal importer shall import any dog or cat into this state  
85 until such person registers as an animal importer with the

86 commissioner. Such registration shall be on a form as prescribed by the  
87 commissioner. Such registration shall require the submission of the  
88 following information: (A) The name, mailing address, business  
89 address, telephone number and Internet address of such registrant, (B)  
90 if such registrant is domiciled out-of-state, the name, Connecticut  
91 address and phone number of a Connecticut-based agent for service of  
92 process, and (C) the number of animals brought into the state during  
93 the prior year by such animal importer and the state or country of  
94 origin for each such animal. Such registration shall be accompanied by  
95 payment of a fee of two hundred dollars and shall be valid until the  
96 second December thirty-first following such registration. Such  
97 registration shall be renewed biennially not later than the second  
98 December thirty-first following issuance, in accordance with the  
99 provisions of this subsection, provided the commissioner determines  
100 that such registrant complies with any requirements provided by the  
101 commissioner as to the health, safety and humane treatment of animals  
102 that is applicable to animal importers. Such registration shall not be  
103 required for any employee or volunteer of a registered animal  
104 importer or other person who is required to be licensed pursuant to the  
105 provisions of this chapter, provided such employee, volunteer or other  
106 person is not otherwise an animal importer. Any person who violates  
107 the provisions of this subdivision shall be fined not more than five  
108 hundred dollars.

109 (2) Any animal importer who intends to offer for sale, adoption or  
110 transfer any dog or cat at a venue or location that is open to the public  
111 or at an outdoor location, including, but not limited to, a parking lot or  
112 shopping center, shall provide notice to the Department of Agriculture  
113 and the municipal zoning enforcement officer of the town where any  
114 such sale, adoption or transfer will occur, not later than ten days prior  
115 to such event. Such notice shall state the date for such sale, adoption or  
116 transfer event, the exact location of such event and the anticipated  
117 number of animals for sale, adoption or transfer at such event. Any  
118 person who fails to provide notice as required pursuant to this  
119 subdivision shall be fined not more than one hundred dollars per

120 animal that is offered for sale, adoption or transfer at such event.

121 (3) For the purpose of this subsection, "animal importer" means a  
122 person who brings any dog or cat into this state from any other  
123 sovereign entity for the purpose of offering such dog or cat to any  
124 person for sale, adoption or transfer in exchange for any fee, sale,  
125 voluntary contribution, service or any other consideration. "Animal  
126 importer" includes any commercial or nonprofit animal rescue or  
127 adoption, humane relocation or delivery organization that is not  
128 otherwise required to be licensed under the provisions of this chapter.

129 (4) The provisions of this subsection shall not be construed to apply  
130 to any animal importer who offers a dog or cat for sale to a pet shop  
131 that is licensed in accordance with the provisions of subsection (b) of  
132 this section, provided such animal is delivered directly to a pet shop.

133 (5) The Commissioner of Agriculture may inspect any animal  
134 imported by an animal importer or any record required to be kept by  
135 such animal importer, provided such inspection shall not authorize the  
136 entry of the commissioner into the residence of such animal importer.

137 (6) Not later than December 31, 2013, the Commissioner of  
138 Agriculture shall prescribe the conditions that constitute the humane  
139 treatment of animals that are applicable to animal importers. Such  
140 conditions shall include, but not be limited to, the appropriate shelter,  
141 availability of food and water and standard of care to be provided by  
142 an animal importer to such animals.

143 (f) No person shall operate or maintain an animal shelter until he or  
144 she registers such animal shelter with the commissioner to operate and  
145 maintain such animal shelter under such regulations as the  
146 commissioner provides as to sanitation, disease and humane treatment  
147 of dogs or cats and the protection of the public safety. Upon written  
148 application and payment of a fee of fifty dollars to offset  
149 administrative costs of such registrations, the commissioner shall issue  
150 such registration to be effective until the second December thirty-first

151 following issuance provided the commissioner finds (A) that such  
152 regulations have been complied with, and (B) in the case of each initial  
153 application for such registration, that the zoning enforcement official  
154 of the municipality wherein such animal shelter is to be operated or  
155 maintained has certified that the animal shelter conforms to the  
156 municipal zoning regulations. Such registration shall be renewed  
157 biennially, not later than December thirty-first, in accordance with the  
158 provisions of this section, and may be transferred by the registrant to  
159 another premises upon approval of the commissioner. For purposes of  
160 this subsection, "animal shelter" means any private entity that operates  
161 a building or facility that is used solely to house homeless animals for  
162 the purpose of rescue or adoption and that is not operated within a  
163 private residence.

164       [(f)] (g) The commissioner may, at any time, inspect or cause to be  
165 inspected by the commissioner's agents any such commercial kennel,  
166 animal shelter, pet shop, grooming facility or training facility, and if,  
167 (1) in the commissioner's judgment such kennel, shelter, pet shop,  
168 grooming facility or training facility is not being maintained in a  
169 sanitary and humane manner or in a manner that protects the public  
170 safety, (2) the commissioner finds that contagious, infectious or  
171 communicable disease or other unsatisfactory conditions exist, or (3) in  
172 the case of a pet shop, the commissioner finds any violation of the  
173 provisions of section 22a-381d, the commissioner may issue a fine to  
174 such commercial kennel, shelter, pet shop, grooming facility or  
175 training facility of not more than five hundred dollars for each animal  
176 that is the subject of such violation, may issue such orders as the  
177 commissioner deems necessary for the correction of such conditions  
178 and may quarantine the premises and animals. If the owner or keeper  
179 of such kennel, shelter, pet shop, grooming facility or training facility  
180 fails to comply with the regulations or orders of the commissioner, or  
181 fails to comply with any provision of the statutes or regulations  
182 relating to dogs or other animals, the commissioner may revoke or  
183 suspend such license or registration, as applicable. Any person  
184 aggrieved by any order issued under the provisions of this section may

185 appeal therefrom in accordance with the provisions of section 4-183.  
 186 Any person maintaining any commercial kennel, animal shelter, pet  
 187 shop, grooming facility or training facility without having obtained a  
 188 license or registration for the same, as applicable or after any such  
 189 license or registration has been revoked or suspended as provided  
 190 herein shall be fined not more than two hundred dollars. The  
 191 provisions of this section shall not apply to veterinary hospitals, except  
 192 those boarding or grooming dogs for nonmedical purposes, and other  
 193 establishments where all the dogs or animals were born and raised on  
 194 the premises where they are kept for sale.

195 ~~[(g)]~~ (h) The provisions of subsections (a) to (d), inclusive, of this  
 196 section requiring certification by the zoning enforcement official that  
 197 every commercial kennel, pet shop, grooming facility and training  
 198 facility conforms to the zoning regulations of the municipality wherein  
 199 such kennel, pet shop, grooming facility or training facility is  
 200 maintained shall not apply to any person who is licensed under said  
 201 subsections and maintained any such kennel, pet shop or grooming  
 202 facility prior to October 1, 1977, provided such person does not  
 203 relocate such kennel, pet shop, grooming facility or training facility in  
 204 a zone in which such kennel, pet shop, grooming facility or training  
 205 facility is not a permitted use. In addition, the provisions of said  
 206 subsections and subsection (f) requiring certification by the zoning  
 207 enforcement official that every commercial kennel, animal shelter, pet  
 208 shop, grooming facility and training facility conforms to the zoning  
 209 regulations of the municipality wherein such kennel, shelter, pet shop,  
 210 grooming facility or training facility is maintained shall not apply  
 211 when a zone in which such kennel, shelter, pet shop, grooming facility  
 212 or training facility is maintained is changed to a use which does not  
 213 permit such kennel, shelter, pet shop, grooming facility or training  
 214 facility in such zone.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2017	22-344
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***ENV***      *Joint Favorable Subst.*